

FILED
JAMES BONINI
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

2010 OCT -5 PM 2:38

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

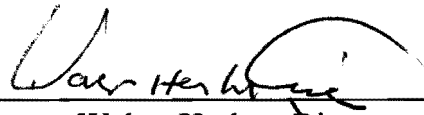
WILLIAM CHATTAMS,	:	
	:	Case No. 3:10cv00291
Petitioner,	:	Case No. 3:09cr00075
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
FILED ON SEPTEMBER 15, 2010 (Doc. #47); DISMISSING WITHOUT
PREJUDICE TO REFILING PETITIONER'S MOTION TO VACATE, SET
ASIDE OR CORRECT SENTENCE PURSUANT TO 28 U.S.C. § 2255 (Doc.
#46); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #47), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on September 15, 2010 (Doc. #47) is **ADOPTED in full**;

2. Petitioner's Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Doc. #46) is **DISMISSED without prejudice to refiling;**
and
3. The case is terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", is written over a horizontal line.

Walter Herbert Rice
United States District Judge